

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ling Y. Cheung
Application No. : 10/717,135 Confirmation No. : 7256
Filed : November 18, 2003
For : METHODS AND COMPOSITIONS FOR TREATING
RENAL FAILURE
Examiner : Randall O. Winston
Group Art Unit : 1654

New York, New York
November 24, 2004

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b) and (c)

ULTRA BIOTECH LIMITED, a corporation having a place of business at 2nd floor, 60 Circular Road, Douglas, Isle of Man, IM1 1SA, represents that it is the assignee of record of the entire right, title and interest, by assignment, of the following:

1. United States Patent Application No. 10/717,135 ("the '135 application"), for "METHODS AND COMPOSITIONS FOR TREATING RENAL FAILURE," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '135 application was recorded in the United States Patent and Trademark Office on April 29, 2004 at Reel/Frame 015273/0234.

2. United States Patent No. 6,709,849 ("the '849 patent"), for "DIETARY SUPPLEMENTS FOR REGULATING MALE HORMONE," issued on

Application No. 10/187,113 ("the '113 application"), filed June 28, 2002. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '113 application was recorded in the United States Patent and Trademark Office on January 7, 2003 at Reel/Frame 013631/0563.

3. United States Patent Application No. 10/717,137 ("the '137 application"), for "METHODS AND COMPOSITIONS FOR TREATING EPILEPSY," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '137 application was recorded in the United States Patent and Trademark Office on April 29, 2004 at Reel/Frame 015273/0205.

4. United States Patent Application No. 10/717,158 ("the '158 application"), for "METHODS AND COMPOSITIONS FOR TREATING MALE SEXUAL DYSFUNCTION," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '158 application was recorded in the United States Patent and Trademark Office on April 28, 2004 at Reel/Frame 015268/0076.

5. United States Patent Application No. 10/717,272 ("the '272 application"), for "METHODS AND COMPOSITIONS FOR TREATING HEPATITIS B," filed on November 18, 2003. An assignment to ULTRA BIOTECH LIMITED of the entire right, title and interest in and to the subject matter of the '272 application was recorded in the United States Patent and Trademark Office on April 28, 2004 at Reel/Frame 015268/0087.

The undersigned, on behalf of ULTRA BIOTECH LIMITED, hereby disclaims the terminal portion of any patent granted on the '135 application which

would extend beyond the expiration date of the '849 patent, or any patent to be granted on the '137, '158 or '272 application.

The undersigned, on behalf of ULTRA BIOTECH LIMITED, agrees that any patent so granted on the '135 application shall be enforceable only for and during such period that said patent is commonly owned with the '849 patent, and any patent to be granted on the '137, '158 or '272 application, and that this terminal disclaimer is binding upon the grantee of any patent to be granted on the '135 application and its successors and assigns.

The undersigned, on behalf of ULTRA BIOTECH LIMITED, does not disclaim any terminal portion of any patent granted on the '135 application prior to the full statutory term of the '849 patent, and any patent to be granted on the '137, '158 or '272 application, in the event that the '849 patent, or any patent to be granted on the '137, '158 or '272 application subsequently (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), (e) has all claims canceled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

1. The undersigned is an agent of record in the '135 application and is authorized to act on behalf of assignee corporation in connection with said application; and

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Terminal Disclaimer dated November 24, 2004
Response to August 25, 2004 Office Action

2. The above-identified assignment documents have been reviewed and, to the best of the undersigned's knowledge and belief, title to the '135 application, the '849 patent, and the '137, '158 and '272 applications is in assignee.

Respectfully submitted,



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